**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

**THE HON'BLE SRI JUSTICE S.ANANDA REDDY**

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**WRIT PETITION NO : 18205 of 2005**

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**Date: 18.08.2005**

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Between:

K. Nalini, D/o.K. Gopalakrishna Pillai,

Vanasthalipuram, Hyderabad.

PETITIONER

Vs.

1. The Deport Manager, APSRTC.,

Chittoor – 1, Bus Deport, Chittoor and others

RESPONDENTS

**THE HON'BLE SRI JUSTICE S.ANANDA REDDY**

**WRIT PETITION NO : 18205 of 2005**

**ORDER:**

This writ petition is filed by the petitioner aggrieved by the show cause notice dated 28.07.2005, under which, the petitioner was directed to submit his comments with reference to the findings of the Enquiry Officer on the charges, so as to consider the findings with reference to the explanation.

2. According to the petitioner, the enquiry was conducted without furnishing the documents as sought for by him and he was not even permitted to cross-examine the Management witnesses. Therefore, the entire enquiry is vitiated and hence sought for quashing the Enquiry Report so as to conduct a fresh enquiry.

3. On the other hand, the learned Standing Counsel for the respondent Corporation opposed the said contentions stating that this is a second round of litigation. He contended that earlier, this Court passed orders on 22.02.2005 directing the respondents to conduct and complete the enquiry, as per which fresh enquiry was

conducted and basing on the fresh enquiry report, the impugned show cause notice is issued. Therefore, it is for the petitioner to raise objections, if any, with reference to the findings of the Enquiry Officer, before the concerned authority.

4. Heard both sides and considered the material available on record.

5. As the impugned order is only a show cause notice, this Court declines to go into the merits and contentions raised by the petitioner and it is open to the petitioner to raise all objections as he can raise in accordance with law. If such objections are raised, it is for the Disciplinary Authority to consider those objections before passing final orders.

6. Under the above circumstances, the writ petition is disposed of directing the petitioner to submit his objections/explanation with reference to the findings of the Enquiry Officer in pursuance of the show cause notice dated 28.07.2005, within a period of two weeks from today. On such objections/explanation being filed by the petitioner, the first respondent Depot Manager, Chittoor is directed to consider the same and pass appropriate orders in accordance with law. If the petitioner fails to file any objections/explanation within the said period, thereafter, it is open to the first respondent to pass appropriate orders.

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**S. Ananda Reddy, J**

Date: 18.08.2005

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